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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 DANIEL KELLER

11 Plaintiff,

No. CIV S-11-0114 LKK GGH PS

12 vs.

13 MONROE COUNTY SHERIFF'S DEPARTMENT,

14 Defendant.

ORDER

15 _____/
16 Plaintiff is proceeding in this action pro se. The federal venue statute requires that
17 a civil action, other than one based on diversity jurisdiction, be brought only in "(1) a judicial
18 district where any defendant resides, if all defendants reside in the same State, (2) a judicial
19 district in which a substantial part of the events or omissions giving rise to the claim occurred, or
20 a substantial part of property that is the subject of the action is situated, or (3) a judicial district in
21 which any defendant may be found, if there is no district in which the action may otherwise be
22 brought." 28 U.S.C. § 1391(b).

23 In this case, the defendant resides in Monroe County, Indiana, and a substantial
24 part of the events giving rise to plaintiff's claims occurred in Monroe County, Indiana, which is
25 in the Southern District of Indiana, Indianapolis Division. Therefore, plaintiff's claim should
26 have been filed in the United States District Court for the Southern District of Indiana. In the

1 interest of justice, a federal court may transfer a complaint filed in the wrong district to the
2 correct district. See 28 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir.
3 1974).

4 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the
5 United States District Court for the Southern District of Indiana, Indianapolis Division.

6 DATED: March 18, 2011

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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